

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

COMPLIANCE OF KENTUCKY-AMERICAN)	
WATER COMPANY, AMERICAN WATER WORKS)	
COMPANY, RWE AKTIENGESELLSCHAFT AND)	
THAMES WATER AQUA HOLDINGS GMBH WITH)	
THE PROVISIONS OF THE ORDERS)	CASE NO. 2002-00277
APPROVING THE TRANSFER OF CONTROL OF)	
KENTUCKY-AMERICAN WATER COMPANY TO)	
RWE AKTIENGESELLSCHAFT AND THAMES)	
WATER AQUA HOLDINGS GMBH)	

ORDER

On July 22, 2002, the Commission established this case to monitor the compliance of Kentucky-American Water Company, American Water Works Company, RWE Aktiengesellschaft and Thames Water Aqua Holdings GmbH with the provisions of the Commission's Orders of May 30, 2002 and of July 10, 2002 in Case No. 2002-00018.¹ We subsequently also used this case to monitor compliance with our Orders in Case No. 2002-00317.²

Given the lack of activity in this proceeding for the last three years and finding no benefit to continuing this case on the Commission's docket, we are of the opinion that

¹ Case No. 2002-00018, Application For Approval of the Transfer of Control of Kentucky-American Water Company to RWE Aktiengesellschaft and Thames Water Aqua Holdings GmbH (Ky.PSC).

² Case No. 2002-00317, The Joint Petition of Kentucky-American Water Company, Thames Water Aqua Holdings GmbH, RWE Aktiengesellschaft, Thames Water Aqua US Holdings, Inc., Apollo Acquisition Company and American Water Works Company, Inc. for Approval of a Change of Control of Kentucky-American Water Company (Ky.PSC Dec. 20, 2002).

this case should be closed. Prior to taking such action, however, all parties should be afforded an opportunity to address the continued need for this case.

The Commission, on its own motion, HEREBY ORDERS that each party may within 20 days of the date of this Order advise the Commission in writing of its position on why this proceeding should not be closed and removed from the Commission's active docket.

Done at Frankfort, Kentucky, this 11th day of February, 2008.

By the Commission

Commissioner Clark abstains.

ATTEST:

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the end, positioned above a solid horizontal line.

Executive Director